

By: Phillips

H.B. No. 694

A BILL TO BE ENTITLED

AN ACT

relating to access by certain military personnel to juvenile and criminal history information.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 58.204(b), Family Code, is amended to read as follows:

(b) On certification of records in a case under Section 58.203, the department may permit access to the information in the juvenile justice information system relating to the case of an individual only:

(1) by a criminal justice agency for a criminal justice purpose, as those terms are defined by Section 411.082, Government Code; ~~or~~

(2) for research purposes, by the Texas Juvenile Justice Department ~~[Probation Commission, the Texas Youth Commission,~~ or the Criminal Justice Policy Council; or

(3) with the permission of the individual, by military personnel, including a recruiter, of this state or the United States if the individual is an applicant for enlistment in the armed forces.

SECTION 2. Subchapter F, Chapter 411, Government Code, is amended by adding Section 411.1410 to read as follows:

Sec. 411.1410. ACCESS TO CRIMINAL HISTORY RECORD INFORMATION: UNITED STATES ARMED FORCES. (a) In this section,

1 "agency of the United States armed forces" means the United States
2 Army, the United States Navy, the United States Marine Corps, the
3 United States Coast Guard, or the United States Air Force.

4 (b) Subject to Subsection (c), an agency of the United
5 States armed forces, including a recruiter for the agency, is
6 entitled to obtain from the department criminal history record
7 information maintained by the department that relates to a person
8 who is an applicant for enlistment in the United States armed
9 forces.

10 (c) An agency of the United States armed forces is entitled
11 to criminal history record information under Subsection (b) only if
12 the agency submits to the department a signed statement from the
13 applicant that authorizes the agency to obtain the information.

14 (d) Criminal history record information obtained by an
15 agency of the United States armed forces under Subsection (b) may
16 not be released to any person or agency except on court order or
17 with the consent of the person who is the subject of the criminal
18 history record information.

19 (e) An agency of the United States armed forces shall
20 destroy criminal history record information obtained under
21 Subsection (b) after the purpose for which the information was
22 obtained is accomplished.

23 SECTION 3. This Act takes effect immediately if it receives
24 a vote of two-thirds of all the members elected to each house, as
25 provided by Section 39, Article III, Texas Constitution. If this
26 Act does not receive the vote necessary for immediate effect, this
27 Act takes effect September 1, 2013.